

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CYNTHIA WEISENBERGER,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

AMERITAS MUTUAL HOLDING
COMPANY,

Defendant.

Case No. 4:21-cv-3156 (JMG-SMB)

**PLAINTIFF’S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Federal Rule of Civil Procedure 23(e), Plaintiff Weisenberger respectfully moves this Court for the entry of the proposed Preliminary Approval Order submitted herewith, which seeks the preliminary approval of a proposed class action settlement (the “Settlement”) and certification of a proposed settlement class (the “Settlement Class”) as defined therein. In support of this request, Plaintiff states and presents the following:

1. The terms of the Settlement are set forth in the Settlement Agreement and Release dated April 27, 2023, attached as “Exhibit 1” to Plaintiffs’ Memorandum of Law in Support of Their Unopposed Motion for Preliminary Approval of the Class Action Settlement (the “Memorandum”), filed contemporaneously herewith.
2. The relief sought in this Motion is supported by the Memorandum and the Declaration of Jason S. Rathod, which is attached as “Exhibit 2” to the Memorandum.

3. Defendant Ameritas Mutual Holding Company does not oppose the relief requested in this Motion.

WHEREFORE, Plaintiff respectfully requests that the Court enter the proposed Order Granting Preliminary Approval of the Class Action Settlement.

Dated: April 28, 2023

Respectfully submitted,

/s/ Vincent M. Powers

Vincent M. Powers Bar No. 15866
POWERS LAW
411 South 13th Street, Suite 300
Lincoln, NE 68508
Tel: (402) 474-8000
powerslaw@me.com

Jason S. Rathod*
Nicholas A. Migliaccio*
MIGLIACCIO & RATHOD, LLP
412 H Street, NE, Suite 302
Washington, DC 20002
Telephone: 202-470-520
Facsimile: 202-800-2730
Email: nmigliaccio@classlawdc.com

*Proposed Class Counsel for Plaintiff and the
Proposed Settlement Class*

*Permanently admitted to practice in D. Neb.